

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20054

In the Matter of

Amendment of 73.202(b)
Table of Allotments
FM Broadcast Stations
(Ingram, TX)

MM Docket No. 99-_____

RECEIVED

MAY 12 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: John Karousos, Chief
Allocations Branch
Mass Media Bureau

PETITION FOR RULE MAKING

Pursuant to 47 CFR 1.401, Ingram Radio Broadcasting Company respectfully petitions the FCC to institute a Rule Making proceeding to amend the FM Table of Allotments to add channel 243A at Ingram, TX.

DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating channel 243A to Ingram, TX, as that community's first local broadcast transmission service. Ingram is an incorporated city near the center of fast-growing Kerr County, Texas. Ingram had a 1990 Census population of 1,408 persons and a 1995 estimated population of 1,554.^{1/} Its mayor is the Honorable Jean Raymer. Ingram has its own school district, its own fire department, and its own post office/zip code. Like other "communities" to which the FCC has allotted a "first local aural service," Ingram has numerous local churches, 153 commer-

^{1/} January 1, 1996 estimate from Texas State Data Center.

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MB

cial business establishments [as of 1/30/97], a Chamber of Commerce and the "Ingram Medical Center."

Attached hereto is an engineering report, containing a channel study that confirms channel 243A can be allocated to Ingram, TX consistent with the FCC's separation rules. See Appendix A.

Allotment of channel 243A to Ingram, TX would provide that growing community with its first local transmission service and would result in a preferential arrangement of FM allotments. See Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992).

Finally, should this Petition be granted, and channel 243A be allotted to Ingram, TX, Petitioner will apply for channel 243A and, after it is authorized, will promptly construct the new FM facility.

Respectfully submitted,



Robert Lewis Thompson
TAYLOR THIEMANN & AITKEN, L.C.
908 King Street, Suite 300
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(703) 836-9400

May 12, 1999

Counsel for Ingram Radio
Broadcasting Company

**ENGINEERING STATEMENT
IN SUPPORT OF
PETITION FOR RULE MAKING**

May 10, 1999

**Ingram Radio Broadcasting Co.
FM Channel 243A □ 96.5 Megahertz
Ingram, Texas**



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ENGINEERING STATEMENT

The information and data contained within this engineering statement were prepared on behalf of Ingram Radio Broadcasting Co., in support of a petition for rule making. The petitioner proposes to amend the FM Table of Allotments, 47 C.F.R. § 73.202(b) of the Commission's Rules, by allotting Channel 243A to Ingram, Texas.

I. INGRAM, TEXAS

Ingram is a city located near the center of Kerr County, Texas. The 1990 U.S. Census population of Kerr County was 36,304 persons, up 26 percent from the 1980 population of 28,780 persons. Ingram had a 1990 U.S. Census population of 1,408 persons, and is assigned ZIP Code 78025 by the U.S. Postal Service. Currently, Ingram has no aural broadcast services. The Census Bureau centroid geographical coordinates of Ingram, referenced to the North American Datum of 1927, are:

North Latitude: 30 degrees, 04 minutes, 43 seconds
West Longitude: 99 degrees, 14 minutes, 12 seconds

At a point corresponding to the Ingram centroid geographic coordinates the Channel 243A allotment can be made at Ingram in compliance with the minimum distance separation requirements 47 C.F.R. § 73.207.

From these reference geographic coordinates, Channel 243A is fully-spaced to all FCC assignments, allotments and proposals contained within the latest **FCC FM Engineering Database**. Figures one through three show the relative locations of Kerr County within the State of Texas, and of the city of Ingram within Kerr County. Figure three shows the city limits of Ingram taken from the 1997 Census TIGER files, and depicts also the locations of the 1990 U.S. Census block centroids.

II. MINIMUM SPACING REQUIREMENTS

The following table lists the nearest assignments and allocations currently on file with the required distance separations for Channel 243A. For clarity, facilities that are greater than 350 kilometers beyond the minimum required separations are not shown.

As required by § 73.207 all minimum distance separation requirements are met from the Channel 243A allotment reference site proposed for Ingram. All distances were computed by the methods outlined in § 73.208(c) of the Commission's Rules and were rounded to the nearest kilometer in accordance with § 73.208(c)(8).

ALLOCATION-PERTINENT STATIONS AND SPACING REQUIREMENTS OF § 73.207					
CALL LETTERS	CHANNEL /CLASS	NORTH LATITUDE	WEST LONGITUDE	ACTUAL DISTANCE	REQUIRED DISTANCE
KHMC	240-C3	28° 40' 57"	97° 18' 50"	242. Km	42. Km
ALLOC	240-C	28° 14' 00"	100° 44' 30"	252	95
KXXM	241-C1	29° 38' 00"	98° 37' 50"	77	75
KSCS	242-C	32° 35' 15"	96° 57' 59"	353	165
KLTO	242-C2	31° 03' 37"	99° 35' 26"	114	106
KTDR	242-C1	29° 32' 25"	101° 07' 21"	192	133
NEW	242-A	30° 45' 50"	98° 40' 58"	93	72
KLTG	243-C1	27° 44' 28"	97° 36' 08"	304	200
KCSE	243-C2	31° 35' 56"	100° 50' 42"	228	166
KHMX	243-C	29° 34' 34"	95° 30' 36"	364	226
KHFI-FM	244-C1	30° 19' 20"	97° 48' 03"	141	133
KXYL	245-C1	31° 42' 16"	99° 00' 05"	182	75
KBAL-FM	246-A	31° 11' 26"	98° 42' 55"	133	31
KEGL	246-C	32° 34' 43"	96° 57' 12"	353	95
ALLOC	246-B	27° 35' 41"	99° 35' 48"	278	69
KVRP	246-C1	33° 09' 40"	99° 48' 57"	346	75
KGSR	296-C2	30° 07' 18"	97° 34' 45"	160	15
XHPNS-FM	296-A	28° 42' 25"	100° 31' 02"	197	9
ALLOC	297-B	27° 30' 52"	99° 33' 39"	287	15
ALLOC	297-A	30° 44' 12"	98° 43' 47"	88	10

III. CONCLUSIONS

The results of this study demonstrate that the FM Table of Allotments in § 73.202(b) of the Commission's Rules may be amended in technical compliance with all applicable spacing rules. Therefore, the Petitioner, Ingram Radio Broadcasting Co., respectfully requests the following changes to the Table:

PRESENT

CITY

Ingram, TX

CHANNEL

PROPOSED

CITY

Ingram, TX

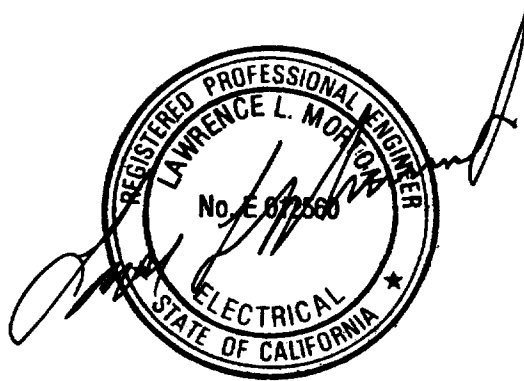
CHANNEL

243A

The petitioner asserts that, upon allotment of Channel 243A to Ingram and the lifting of the present freeze on new applications, an application for construction permit to build a new Class A facility will be filed promptly to serve Ingram, Texas.

Respectfully Submitted,

Lawrence L. Morton, P.E.
Consulting Engineer to the Petitioner
May 10, 1999



AFFIDAVIT

State of California)
) ss:
County of Los Angeles)

Lawrence L. Morton, being first duly sworn upon oath, deposes and says:

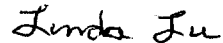
- That he is a qualified engineer,
- That he is a Registered Professional Engineer in the State of California,
- That he is a member of the Association of Federal Communications Consulting Engineers,
- That his qualifications are a matter of record with the Federal Communications Commission,
- That he has prepared many broadcast applications and engineering exhibits that have been filed with and granted by the Federal Communications Commission,
- That he has carried out such engineering work and that the results thereof are attached hereto and form part of this affidavit, and
- That the foregoing statement and the report regarding the aforementioned engineering work are true and correct of his own knowledge.

Date: May 10, 1999

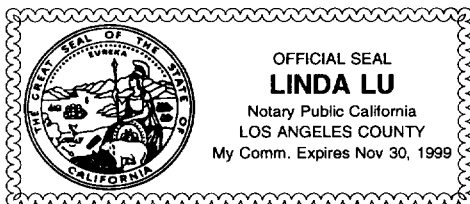

Lawrence L. Morton, P.E.

On May 10, 1999, before me, Linda Lu, a Notary Public, in and for the State of California, personally appeared Lawrence L. Morton known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

My Commission expires 11/30/99



Notary Public



Lambert Azimuthal Equal-Area

2° 00' 00" Graticule Spacing

State of Texas

Kerr County

CENTER OF MAP:

N LAT 31° 20' 58.00"

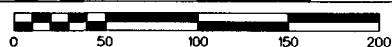
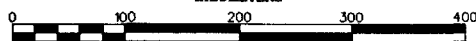
W LON 99° 39' 55.00"

Scale 1 : 6,642,985

FIGURE 1
COUNTY OF KERR
STATE OF TEXAS

INGRAM RADIO BROADCASTING CO.

KILOMETERS



STATUTE MILES



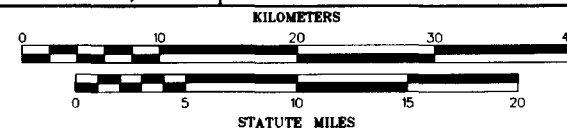
LAWRENCE L. MORTON ASSOCIATES
Telecommunications Engineers
Hollywood Hills, California

Lambert Azimuthal Equal-Area

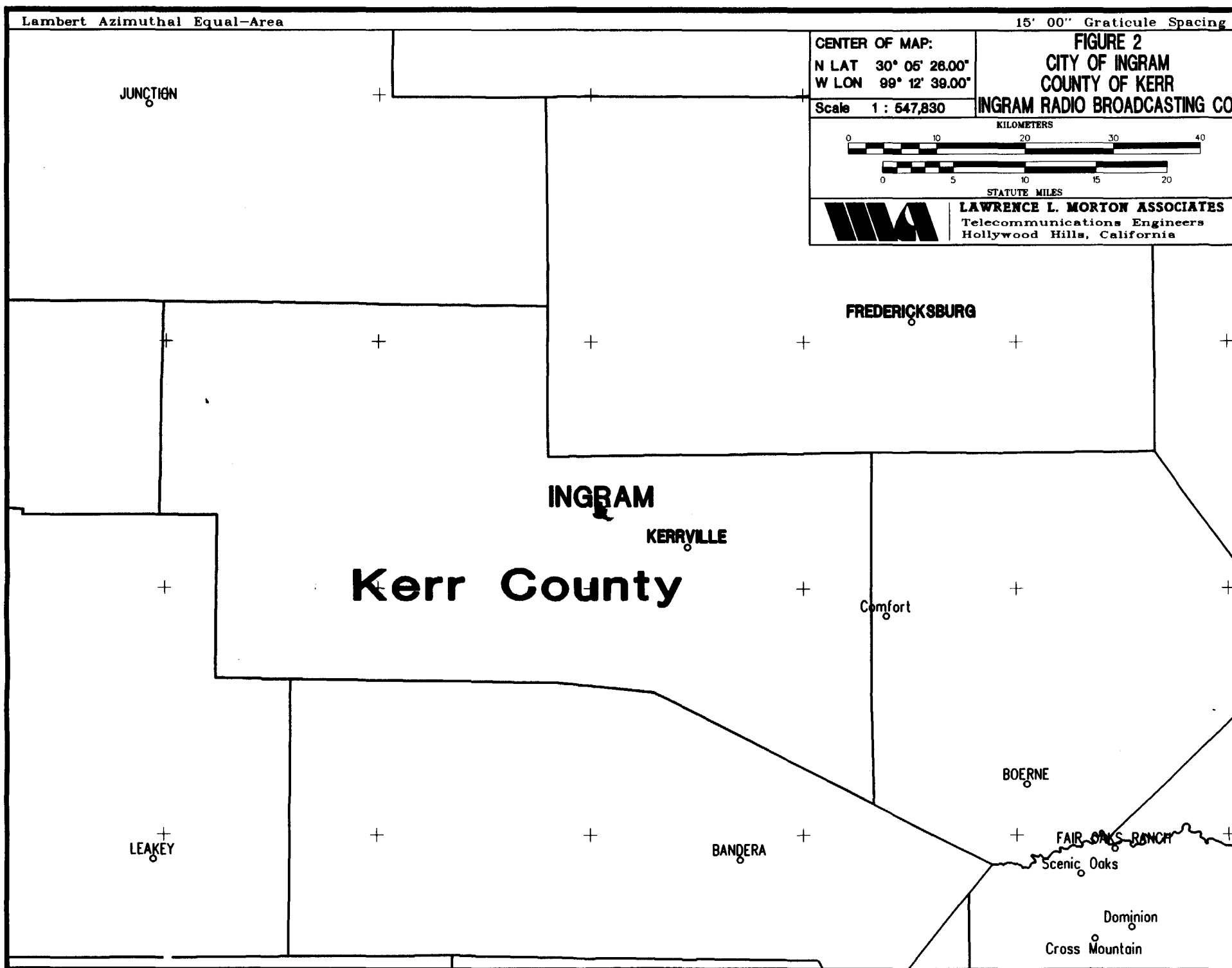
15' 00" Graticule Spacing

CENTER OF MAP:
N LAT 30° 05' 26.00"
W LON 99° 12' 39.00"
Scale 1 : 547,830

FIGURE 2
CITY OF INGRAM
COUNTY OF KERR
INGRAM RADIO BROADCASTING CO.

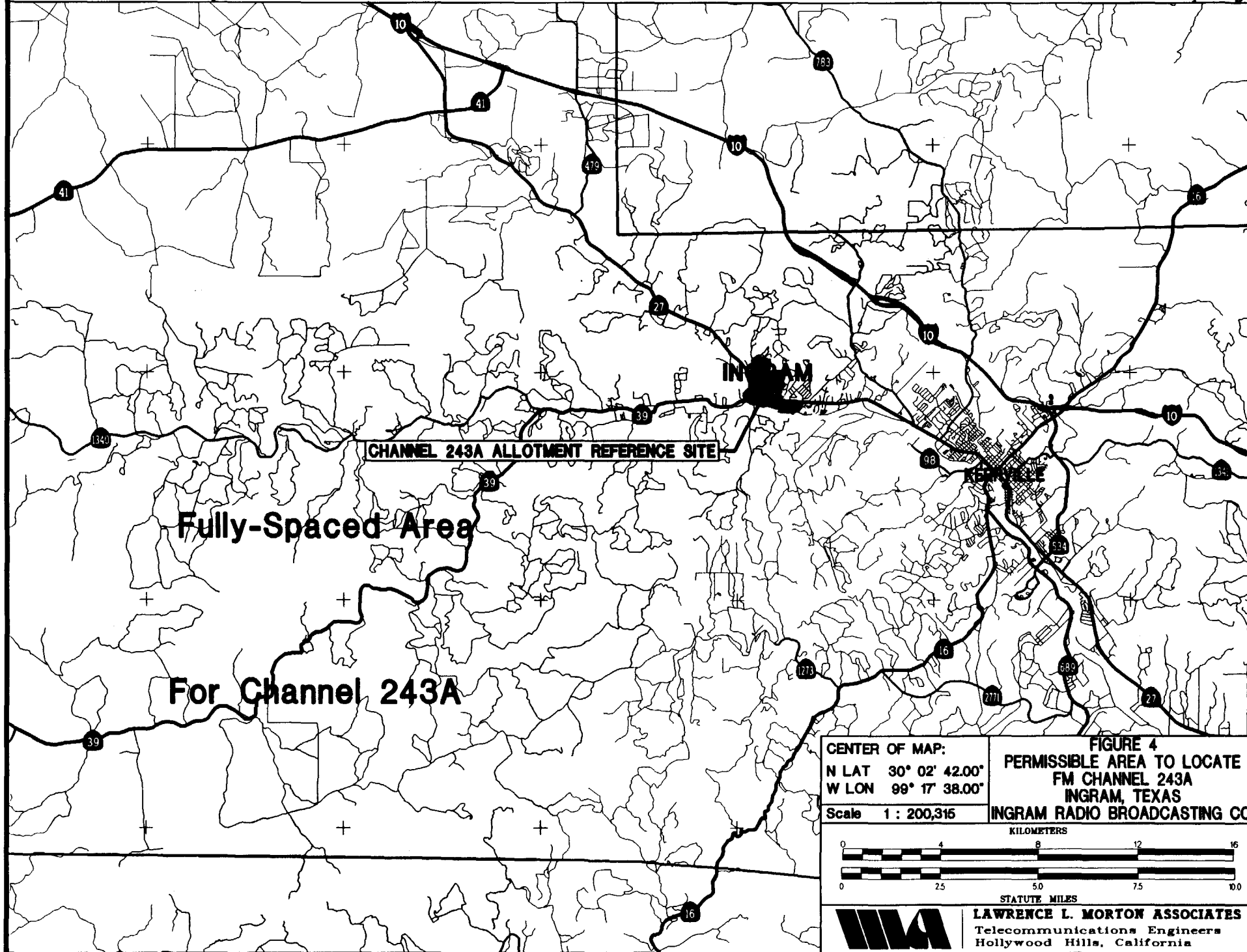


LAWRENCE L. MORTON ASSOCIATES
Telecommunications Engineers
Hollywood Hills, California



Lambert Azimuthal Equal-Area

5' 00" Graticule Spacing

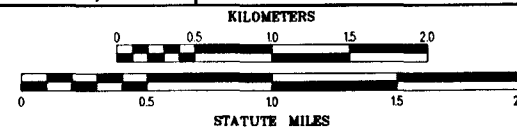


Lambert Azimuthal Equal-Area

2' 30" Graticule Spacing

CENTER OF MAP:
N LAT 30° 04' 39.00"
W LON 99° 13' 23.00"
Scale 1 : 48,226

FIGURE 3
CITY OF INGRAM
AND 1990 U.S. CENSUS BLOCKS
INGRAM RADIO BROADCASTING CO.



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Telecommunications Engineers
Hollywood Hills, California

1990 U.S. CENSUS BLOCK CENTROIDS

